

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Lawrence T. Boni *et al.*

Application No.: 10/696,389

Confirmation No.: 6398

Filed: October 29, 2003

Art Unit: 1615

For: SUSTAINED RELEASE OF
ANTIINFECTIVES

Examiner: G. S. Kishore

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

MS RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with C.F.R. § 1.97(b)(4), Applicants hereby bring to the Examiner 's attention the references listed on the accompanying form PTO/SB/08. Pursuant to 37 C.F.R. § 1.98 (2)(i), Applicants have not enclosed copies of the cited U.S. applications. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

Applicants have listed dates of publication on the attached PTO/SB/08 for the cited documents based on information presently available to the undersigned. However, the listed publication dates should not be construed that the information in the cited documents was actually published or otherwise publicly available on the date indicated.

This submission does not represent that a search has been made or that no better art exists. Nor does it constitute an admission that each or all of the listed documents are material or constitute "prior art." Further, if the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Moreover, the Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

In accordance with 37 C.F.R. §§ 1.97(b)(4) and 1.114(c), this Information Disclosure Statement is being filed with a Request for Continued Examination, and thus, prior to the mailing of a first Office Action on the merits after the filing of a Request for Continued Examination. Therefore, no fee is believed to be due in connection with this submission. Nevertheless the Commissioner is authorized to charge any deficiencies or credit any overpayment to/from our **Deposit Account No. 06-1448, Reference TRA-008.01.**

Dated: February 11, 2008

Respectfully submitted,

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